DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 5-8 and 16-19 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Based upon consideration of all of the relevant factors with respect to the claimed as a whole, claims 5-8 and 16-19 are held to claim an abstract idea, and is therefore rejected as ineligible subject matter under 35 U.S.C. 101. The rationale for this is explained below: for example, an image reduction process comprising (1) extracting, obtaining, and reproducing steps, (2) extracting, obtaining, requesting and reproducing steps, or (3) extracting, associating, accepting and reproducing steps is of sufficient breadth that it would be reasonably interpreted as a series of steps completely performed mentally, verbally or without a machine.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders et al. (US 2006/0288113) in view of Nagasaka (US 5,974,218) and further in view of Graham (US 7,596,755).

Regarding claim 1, Saunders et al. teaches an image reproduction system that reproduces static image data synchronously with reproduction of video data, comprising:

a position information obtainment unit that obtains a reproduction time position of the video data as the video data is reproduced (Paragraph 42 teaches wherein a content author can determine the rendering time for a video component of the entire presentation. Fig. 5 further shows where Video 502 is synchronized along with other media samples/data. Paragraph 44 teaches that rendering times for each video sequences 714 are stored by the format writer 716 as part of the presentation. Paragraphs 54-57 teaches a renderer that uses a browser 758 or a multimedia player 760 that receives the presentation and reproduces according to the rendering times set in the presentation);

an image obtainment unit that obtains extracted static image data associated in advance with the obtained reproduction time position (Paragraph 42 teaches wherein a content author can determine the rendering time for each media sample ("HTML, image") of the entire presentation. Fig. 5 further shows where media samples within Banner 504, Slides 506 are synchronized along with other media samples/data. Paragraph 44 teaches that rendering times for media samples are stored by the format

writer 716 as part of the presentation. Paragraphs 54-57 teaches a renderer that uses a browser 758 or a multimedia player 760 that receives the presentation and reproduces according to the rendering times set in the presentation); and

an image reproduction unit that reproduces the obtained static image data synchronously with the video data (Fig. 5 and Paragraphs 51-53 teaches where a client access a presentation which is reproduced according to the rendering times set by the user as discussed above).

However, Saunders fails to particularly teach a preprocessing unit that extracts static image from the video data by an operator operation that performs the setting operation while viewing the data before a disposition registration of the video data is initiated, wherein the preprocessing unit extracts a plurality of still image data and each static image data being represented with a variable size corresponding to scenes in the image data having variable time width for the portion of video data represented in the scene, the variable size of each static image data being proportional to the time width of the corresponding scene.

In an analogous art, Nagasaka et al. teaches in col. 3, lines 43-48, col.3, line 56 through col. 4, line 35, col. 9, line 9 through col. 10, line 67 wherein a broadcast program is programmed to be recorded by a user. During the recording of the broadcast program a digest picture is extracted from the video program. Furthermore, col. 8, lines 19-36 teaches wherein the shot-representative pictures are used to display a digest, from which, upon selection of a shot-representative pictures by a user, reproduction from the position where the shot-representative picture was created is commenced.

The system of Saunders et al. can be modified to allow for capturing and storing of the still image files, as taught by Nagasaka so that the extracted still images can be used for the media presentation file of Saunders et al. Thereafter, the still images of Nagasaka can be added to the existing presentation to finalize a presentation as desired. The still images are extracted even before the corresponding broadcast program has completed recording, therefore, the system of Saunders et al. can not utilize the extracted digest pictures or the associated video. Therefore, the extraction of the digest picture occurs before a disposition registration can even begin.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to extract a still image from a video data stream as taught by Nagasaka into the system taught by Saunders et al., because such incorporation would allow a user in Saunders et al. to seize or grasp the content and composition of a video speedily (Nagasaka in col. 3, lines 27-31).

However, the proposed combination of Saunders et al. and Nagasaka fails to teach wherein each static image data being represented with a variable size corresponding to scenes in the image data having variable time width for the portion of video data represented in the scene, the variable size of each static image data being proportional to the time width of the corresponding scene.

In an analogous art, Graham teaches in col. 32, lines 19-29 and Fig. 15 wherein an extracted image, i.e. a thumbnail, corresponds to a particular video scene. The size (resolution) of the thumbnail is changeable based on the length of video clip to which it corresponds.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to change the size of the thumbnail in proportion to the length of the corresponding video scene as taught by Graham into the proposed combination of Saunders and Nagasaka because said incorporation allows for the benefit of increasing the user friendliness by generating a GUI that can provide a focused and contextual view of the contents of the multimedia document (Graham: Col. 2, lines 41-42).

Regarding claim 2, Saunders et al. teaches an image reproduction system that reproduces static image data synchronously with reproduction of video data, comprising:

a delivery server that holds the video data and static image data associated with the video data (Paragraph 0042 teaches of at least “video component stream 502” and “slides component stream 508" (still images) are “delivered from the media server to the client in a synchronous manner to form a complete presentation”. Additionally, paragraph 0042 teaches “a content author obtains or creates web content data and/or media data such as … (e.g. HTML, image), audio and/or video represented by arrow 704, which is used to created a presentation file/stream. Paragraph 49 teaches that “the media server 742 may receive the presentation stream 744 or the presentation file 746”. Since the presentation file 746 is created using the at least “video component stream 502” and “slides component stream 508”, the media server holds the video and static image data associated with the video data); and

a browsing client that reproduces and displays on a screen the video data and static image data provided by the delivery server (paragraphs 51-53, client browses a presentation "after receiving the playback request from the client, the media server 742 delivers the presentation stream 744 or presentation file 746 to the client" (first line of paragraph 0051). The rendering in Saunders means is rendered for display (paragraph 0031: "Rendering 1 sample may trigger the rendering or display of these media samples altogether") on browser 758 or the multimedia player 760. The display on the client device is taught in paragraph 0072, wherein "In operation, a client uses a computer such as a …. In addition, the format reader 764 executes instructions to retrieve an audio component stream 102, a video component stream 104, and a script component stream 108 from the presentation stream 754 or presentation file 756 and to deliver these component streams to a browser 758 or multimedia player 760."),

wherein the browsing client comprises:

a position information obtainment unit that obtains a reproduction time position of the video data as the video data is reproduced (paragraphs 54-57 teaches a renderer that uses a browser 758 or a multimedia player 760 that receives the presentation and reproduces according to the rendering times set in the presentation (as discussed in claim 1 above));

an image request unit that makes a request to the delivery server for the static image data associated in advance with the reproduction time position (paragraphs 51-53 teaches where a user on a client machine requests a particular presentation to be accessed/viewed. The presentation includes the still images within media samples); and

an image reproduction unit that reproduces the static image data synchronously with the video data, the static image data being provided by the delivery server in response to the request (paragraphs 56-57 teaches where a presentation, which includes video 502 and images stored by itself or within Banners 504 and/or Slides 506 are reproduced in synchronism).

However, Saunders fails to particularly teach a preprocessing unit that extracts static image from the video data by an operator operation that performs the setting operation while viewing the data before a disposition registration of the video data is initiated, wherein the preprocessing unit extracts a plurality of still image data and each static image data being represented with a variable size corresponding to scenes in the image data having variable time width for the portion of video data represented in the scene, the variable size of each static image data being proportional to the time width of the corresponding scene.

In an analogous art, Nagasaka et al. teaches in col. 3, lines 43-48, col.3, line 56 through col. 4, line 35, col. 9, line 9 through col. 10, line 67 wherein a broadcast program is programmed to be recorded by a user. During the recording of the broadcast program a digest picture is extracted from the video program. Furthermore, col. 8, lines 19-36 teaches wherein the shot-representative pictures are used to display a digest, from which, upon selection of a shot-representative pictures by a user, reproduction from the position where the shot-representative picture was created is commenced.

The system of Saunders et al. can be modified to allow for capturing and storing of the still image files, as taught by Nagasaka so that the extracted still images can be

used for the media presentation file of Saunders et al. Thereafter, the still images of Nagasaka can be added to the existing presentation to finalize a presentation as desired. The still images are extracted even before the corresponding broadcast program has completed recording, therefore, the system of Saunders et al. can not utilize the extracted digest pictures or the associated video. Therefore, the extraction of the digest picture occurs before a disposition registration can even begin.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to extract a still image from a video data stream as taught by Nagasaka into the system taught by Saunders et al., because such incorporation would allow a user in Saunders et al. to seize or grasp the content and composition of a video speedily (Nagasaka in col. 3, lines 27-31).

However, the proposed combination of Saunders et al. and Nagasaka fails to teach wherein each static image data being represented with a variable size corresponding to scenes in the image data having variable time width for the portion of video data represented in the scene, the variable size of each static image data being proportional to the time width of the corresponding scene.

In an analogous art, Graham teaches in col. 32, lines 19-29 and Fig. 15 wherein an extracted image, i.e. a thumbnail, corresponds to a particular video scene. The size (resolution) of the thumbnail is changeable based on the length of video clip to which it corresponds.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to change the size of the thumbnail in proportion to the length of the corresponding video scene as taught by Graham into the proposed combination of Saunders and Nagasaka because said incorporation allows for the benefit of increasing the user friendliness by generating a GUI that can provide a focused and contextual view of the contents of the multimedia document (Graham: Col. 2, lines 41-42).

Regarding claim 3, the proposed combination of Saunders et al., Nagasaka and Graham teaches the claimed as discussed above in claim 1, and furthermore, Saunders et al. teaches the claimed further comprising:

a specification unit that accepts reproduction time position information of the video data from a user's input (as discussed in claim 1 above, wherein a content author can set rendering times for video sequences 502, 714, and the plethora of media samples including still images); and

a video reproduction unit that reproduces the video data from a time position corresponding to the accepted reproduction time position information (as discussed in claim 1 above),

wherein the position information obtainment unit obtains time position information specified by the user's input (as discussed in claim 1 above, wherein a content author can set rendering times for video sequences 502, 714, and the plethora of media samples including still images).

Regarding claim 4, Saunders et al. teaches an image reproduction system that reproduces video data and plural pieces of static image data in association with each other, comprising:

a specification unit that accepts a command provided by a user's input to select one piece of static image data from the plural pieces of static image data; (paragraphs 36-37 teaches wherein a client requests to seek to a particular point in the presentation. The client has the ability to seek to a particular point, including the locations of still images stored in banner 504 and/or slides 506); and

a video reproduction unit that reproduces the video data from a reproduction time position with which the selected piece of static image data is associated (as discussed above, after the client has chosen a particular still image, i.e. a particular location, the presentation resumes from that particular location).

However, Saunders fails to particularly teach a preprocessing unit that extracts static image from the video data by an operator operation that performs the setting operation while viewing the data before a disposition registration of the video data is initiated, wherein the preprocessing unit extracts a plurality of still image data and each static image data being represented with a variable size corresponding to scenes in the image data having variable time width for the portion of video data represented in the scene, the variable size of each static image data being proportional to the time width of the corresponding scene.

In an analogous art, Nagasaka et al. teaches in col. 3, lines 43-48, col.3, line 56 through col. 4, line 35, col. 9, line 9 through col. 10, line 67 wherein a broadcast program is programmed to be recorded by a user. During the recording of the broadcast program a digest picture is extracted from the video program. Furthermore, col. 8, lines 19-36 teaches wherein the shot-representative pictures are used to display a digest, from which, upon selection of a shot-representative pictures by a user, reproduction from the position where the shot-representative picture was created is commenced.

The system of Saunders et al. can be modified to allow for capturing and storing of the still image files, as taught by Nagasaka so that the extracted still images can be used for the media presentation file of Saunders et al. Thereafter, the still images of Nagasaka can be added to the existing presentation to finalize a presentation as desired. The still images are extracted even before the corresponding broadcast program has completed recording, therefore, the system of Saunders et al. can not utilize the extracted digest pictures or the associated video. Therefore, the extraction of the digest picture occurs before a disposition registration can even begin.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to extract a still image from a video data stream as taught by Nagasaka into the system taught by Saunders et al., because such incorporation would allow a user in Saunders et al. to seize or grasp the content and composition of a video speedily (Nagasaka in col. 3, lines 27-31).

However, the proposed combination of Saunders et al. and Nagasaka fails to teach wherein each static image data being represented with a variable size

corresponding to scenes in the image data having variable time width for the portion of video data represented in the scene, the variable size of each static image data being proportional to the time width of the corresponding scene.

In an analogous art, Graham teaches in col. 32, lines 19-29 and Fig. 15 wherein an extracted image, i.e. a thumbnail, corresponds to a particular video scene. The size (resolution) of the thumbnail is changeable based on the length of video clip to which it corresponds.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to change the size of the thumbnail in proportion to the length of the corresponding video scene as taught by Graham into the proposed combination of Saunders and Nagasaka because said incorporation allows for the benefit of increasing the user friendliness by generating a GUI that can provide a focused and contextual view of the contents of the multimedia document (Graham: Col. 2, lines 41-42).

Method claims 5-7 and medium claims 9-11 are rejected for the same reasons as discussed in claim 2 above. The limitations in claims 5-7 and 9-11 are broader than the limitations in claim 2.

Method claims 8 and medium claim 12 are rejected for the same reasons as discussed in claim 4 above. The limitations in claims 8 and 12 are broader than the limitations in claim 4 above.

Regarding claims 13-20, the proposed combination of Saunders et al., Nagasaka and Graham teaches the claimed as discussed in claims 1-2 and 4-12 above, and furthermore, Saunders et al. teaches the claimed further comprising a retrieval interface (Fig. 7B and paragraph 49 teaches of a Client Site that retrieves a particular Presentation File) including a keyword input part that matches keyword input with contents data associated with the image data to retrieve results (Fig. 7B and paragraph 49 teaches of a Client Site that retrieves a particular Presentation File. In order to request a particular Presentation File, information to differentiate one Presentation File from another is inherently input by the user. See paragraph 3 above for further discussion).

Regarding claims 21-31, the limitations are met since the broadcast program recorded in Nagasaka consists of a plurality of frames. Col. 3, lines 43-48, col.3, line 56 through col. 4, line 35, col. 9, line 9 through col. 10, line 67, wherein col. 4, line 4 teaches “a detecting unit for *fetching the frame based picture signal* and for detecting or representative pictures those *frames which correspond to the inter-shot transitions of the television program*, respectively, a storage unit for storing the *digest picture* constituted by a set of the representative pictures ....” The frame that is detected and later used for creating the *digest picture* is a single frame (therefore static) meets the static image data. Furthermore, the static images of materials used in a presentation shown in the video data is met by the "*frame which correspond to the inter-shot transition of the television program*" above. The prior motivation as discussed above is incorporated herein.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on 571-272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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